



LEGISLATIVE UPDATE

FEBRUARY/MARCH 2024 UPDATE



Grover Wallace – GVHRA & Montana
State Legislative Director

GVHRA MISSION: *To connect and inspire members to create a collaborative environment for people to do their best work*

MONTANA STATE CONFERENCE EARLY BIRD REGISTRATION ENDS THIS WEEK – FEB. 29TH.

Go online and register for the conference in Kalispell!

SHRM'S TOP 5 WORKPLACE POLICY ISSUES TO WATCH IN 2024

1. Artificial Intelligence (AI) Will Be Regulated and Legislated

In Brief: States and localities have outpaced the federal government in regulating AI. This means that HR professionals who want to introduce AI solutions in their workplaces will have to navigate through a complex and varied set of policies at different levels of government. SHRM favors thoughtful AI public policies that support innovation.

Top Action for HR Professionals: Invest in the infrastructure, quality data and resources to stay updated on the latest AI advancements. Implement policies for using AI responsibly to protect confidential information.

2. IE&D, Free Speech and Title VII Will Remain at the Forefront of HR Policy

In Brief: Inclusion, equity and diversity initiatives and practices will be in the spotlight during the 2024 election season, a time when maintaining civility is crucial. Guidance from the EEOC and precedents from the NLRB and courts will require a balance between free speech and religious rights while keeping workplaces free from harassment.

Top Action for HR Professionals: This is a powerful opportunity to set an example for employees, colleagues and partners to encourage mutual respect and value diversity of opinion.

3. White House-Driven Labor Regulations Will Create Compliance Burdens

In Brief: SHRM expects final rules on overtime and independent contractors, implementation of the NLRB's joint-employers standard and more regulations related to unionization. These rules may be challenged legally, slowing implementation. To address talent shortages, immigration is expected to be dealt with through agency regulation given the challenge of congressional action.

Top Action for HR Professionals: Develop a strategy to balance compliance with patience by staying well-informed, adaptable and proactive in navigating the evolving HR regulatory landscape.

4. Pay Parity and Equity Will Gain Momentum With Policymakers

In Brief: The concerted effort to address pay inequities at the state and municipal levels is expected to continue. These laws touch on themes such as pay transparency, new protected classes, questions on salary histories and reasons employers can use to justify pay differences.

Top Action for HR Professionals: Make sure your pay practices comply with any new laws to maintain a fair and equitable work environment for all employees.

5. Employee Benefits Management Will Require Careful Attention

In Brief: HR professionals will navigate a complex web of federal and state regulations aiming to control health care and prescription drug costs. Regulatory guidance on noncompete clauses and repayment provisions may have implications for upskilling and reskilling benefits.

Top Action for HR Professionals: Prepare to comply with new health and retirement plan disclosure rules by staying informed about changing regulations and establishing clear communication and transparency with your employees

SHRM LINK ARTICLE: [shrms-top-5-policy-issues-for-2024 \(1\).pdf](#)

Bill Would Require Some Employers to Auto-Enroll Workers in Retirement Plans

Automatic IRA Act is introduced in Congress

A new bill aims to expand retirement security for millions of U.S. workers by requiring employers that have more than 10 workers but do not offer a retirement plan to automatically enroll employees in individual retirement accounts (IRAs) or other automatic-contribution arrangements, such as 401(k) plans.

The Automatic IRA Act of 2024 was introduced Feb. 7 by Rep. Richard Neal, D-Mass., who first introduced a similar bill in 2017. Neal, who serves on the House Ways and Means Committee, also worked on the [SECURE Act 2.0](#) and tried to include similar provisions when that legislation was passed in late 2022.

The Automatic IRA Act would generally apply to plan years beginning after 2026.

The legislation, [according to a fact sheet released by Ways and Means Committee Democrats](#), would “dramatically expand retirement coverage of employees, gig workers, and other independent contractors. It would build upon, expand, and improve the private pension system in a manner that explicitly protects and complements employer-sponsored plans and arrangements.”

SHRM ARTICLE LINK: [Bill Would Require Some Employers to Auto-Enroll Workers in Retirement Plans \(shrm.org\)](#)

HOME DEPOT VIOLATION OF NLRB FOR BLM CLOTHING

Home Depot violated the National Labor Relations Act when the retail giant prohibited an employee from wearing an apron that said “BLM” in support of the Black Lives Matter movement, the National Labor Relations Board (NLRB) ruled on Feb. 21.

In a 3-1 decision, the NLRB said the worker had a right to display the handwritten insignia under federal law because it came amid complaints from a group of employees about racial discrimination at the New Brighton, Minn., store.

Home Depot broke the law when it conditioned the worker’s employment on removing the marking, according to the NLRB. The employee resigned after refusing to remove it.

SHRM ARTICLE LINK: [Home Depot Barred Employee from Wearing ‘Black Lives Matter’ on Uniform. Did It Break the Law? \(shrm.org\)](#)

UPCOMING CALENDAR EVENTS:

WEBCASTS/CONFERENCE SESSIONS

[The Power of Personalization: Adapting Benefits to Employee Wants and Needs](#)

March 6, 2 p.m. ET / 11 a.m. PT

Sponsor: [HealthJoy](#)

[March 14, 2024 | A Conferences for Women Event](#)

This Women's History Month, join tens of thousands of professional women from across the nation for a groundbreaking virtual event, and gain access to some of the world's top women experts on career advancement, leadership, and personal development.

[Register now](#)

KEY DATES AND DEADLINES:

<p>MAR 1</p>	<p><u>Better Workplaces Challenge Cup Member Track Deadline</u> This worldwide competition spotlighting innovative HR solutions crafted by SHRM members to tackle contemporary workplace issues is your chance to share your innovative idea and your chance to win \$1,000 along with an all-expenses-paid trip to the SHRM Annual Conference & Expo 2024.</p>
<p>MAR 2</p>	<p><u>OSHA 300A Electronic Data Submission Deadline</u> More employers will be required to submit workplace injury and illness information under a final rule released by the U.S. Occupational Safety and Health Administration (OSHA) in 2023. The new rule took effect on Jan. 1, 2024. OSHA has amended its regulations to require certain companies to electronically report work-related injury and illness data.</p>

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[SHRM Talent Conference & Expo 2024 \(Through April 17 in Las Vegas and virtually\)](#)

Engage with top industry experts and thought leaders delivering cutting-edge methods and processes to transform the way you manage talent and empower your organization to succeed in an ever-evolving job market.

THANK YOU